

MINUTES OF THE  
MAG MANAGEMENT COMMITTEE MEETING  
April 9, 2008  
MAG Office Building - Saguaro Room  
Phoenix, Arizona

MEMBERS ATTENDING

Charlie McClendon, Avondale, Vice Chair	Darryl Crossman, Litchfield Park
George Hoffman, Apache Junction	Christopher Brady, Mesa
Jeanine Guy, Buckeye	Jim Bacon, Paradise Valley
Jon Pearson, Carefree	Carl Swenson for Terry Ellis, Peoria
Usama Abujbarah, Cave Creek	Karen Peters for Frank Fairbanks, Phoenix
Mark Pentz, Chandler	John Kross, Queen Creek
Spencer Isom for B.J. Cornwall, El Mirage	Bryan Meyers, Salt River Pima-Maricopa Indian Community
Phil Dorchester, Fort McDowell Yavapai Nation	Brad Lundahl for John Little, Scottsdale
# Kate Zanon, Fountain Hills	Prisila Ferreira, Surprise
# Lynn Farmer, Gila Bend	Amber Wakeman for Charlie Meyer, Tempe
Joseph Manuel, Gila River Indian Community	Chris Hagen for Reyes Medrano, Tolleson
George Pettit, Gilbert	Gary Edwards, Wickenburg
Ed Beasley, Glendale	* Lloyce Robinson, Youngtown
Mark Brown for Brian Dalke, Goodyear	* Victor Mendez, ADOT
Mark Johnson, Guadalupe	Kenny Harris for David Smith, Maricopa County
	David Boggs, Valley Metro/RPTA

\* Those members neither present nor represented by proxy.

# Participated by telephone conference call.

+ Participated by videoconference call.

1. Call to Order

The meeting was called to order by Vice Chair Charlie McClendon at 11:35 a.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited. Kate Zanon and Lynn Farmer joined the meeting by teleconference.

Vice Chair McClendon noted that the material for agenda items #8 and #9 were at each place. Vice Chair McClendon stated that parking garage validation and transit tickets were available from Valley Metro/RPTA for those using transit to come to the meeting.

3. Call to the Audience

Vice Chair McClendon stated that Call to the Audience provides an opportunity to the public to address the Management Committee on items that are not on the agenda that are within the jurisdiction of MAG, or non-action agenda items that are on the agenda for discussion or information only. Vice Chair McClendon noted that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard. Public comments have a three minute time limit and there is a timer to help the public with their presentations.

Vice Chair McClendon recognized public comment from Dianne Barker, who said that she had come to the meeting by bus and bicycle and expressed her thanks for the transit ticket. Ms. Barker stated that at the last Management Committee meeting, Mr. Fairbanks spoke about the critical need for street funding. Ms. Barker stated that direction was given to have this on the next agenda, but it is not on this agenda. She commented on the \$42 billion TIME coalition transportation initiative reported by the newspaper to have a sales tax of one cent per dollar over thirty years. She advised that people need to know what they are getting, and assurances, such as bonding, that projects will be built. Ms. Barker added that people will not just accept words. She stated that she attended the MAG Housing Transportation Stakeholders forum the day before. Ms. Barker expressed that Amy St. Peter was fantastic and the event showed how welcoming MAG can be to stakeholders. She commented that one table focused on the sharing of vans and noted that sharing the resources we already have is the right direction. Vice Chair McClendon thanked Ms. Barker for her comments.

4. Executive Director's Report

Dennis Smith, MAG Executive Director, reported that the MAG Housing and Transportation Human Services Coordination Conference was held April 8, 2008. He said that more than 300 people registered for the conference. Mr. Smith stated that national experts discussed liveable communities at the conference. He added that staff will prepare a blueprint of best practices.

Mr. Smith stated that good news has been received in regard to the CMAQ Provisions of Energy Independence Act. He advised that the Federal Highway Administration Chief Counsel has concluded that provisions of the Act do not override existing provisions where states retain the flexibility allowing contributing in excess of the non federal share. Mr. Smith stated that this means that CMAQ projects in the planning or implementation states that are programmed for less than the standard 80 percent federal share can move forward. He expressed his appreciation to Congressman Harry Mitchell and his staff for their efforts on this.

Mr. Smith stated that the Chairs of MAG, Regional Public Transportation Authority (RPTA), Valley Metro Rail (METRO) and Arizona Municipal Water Users Association (AMWUA) held a joint meeting on April 7, 2008 regarding the Regional Office Center. He noted that the agencies are proposing to move forward in obtaining the guaranteed maximum price of the building using one-half of the First Avenue and McKinley site and reducing the scope of the project; identifying the amount of funds that would be spent in the next 15 years on leasing; and identifying buildings to buy or other development projects that might accommodate the agencies.

Mr. Smith stated that this information is expected to be compiled by the summer, and then a decision could be made.

Vice Chair McClendon thanked Mr. Smith for his report. No questions for Mr. Smith were noted.

5. Approval of Consent Agenda

Vice Chair McClendon stated that agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H, and #5I were on the consent agenda. Vice Chair McClendon reviewed the public comment guidelines for the consent agenda. He noted that no public comment cards had been received.

Vice Chair McClendon asked if any member of the committee had questions or a request to have a presentation on any consent agenda item. None were noted.

Mr. Pettit moved to recommend approval of consent agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H, and #5I. Mr. Hoffman seconded, and the motion carried unanimously.

5A. Approval of March 14, 2008 Meeting Minutes

The Management Committee, by consent, approved the March 14, 2008 meeting minutes.

5B. Consultant Selection for the MAG External Travel Study

The Management Committee, by consent, recommended that Alliance Transportation Group be selected to conduct the MAG External Travel Study for an amount not to exceed \$300,000. If negotiations with Alliance Transportation Group are not successful, that MAG negotiate with its second choice, Wilbur Smith Associates, to conduct the Study. In May 2007, the MAG Regional Council approved the FY 2008 Unified Planning Work Program and Annual Budget, which included \$300,000 to conduct a MAG region external travel study. The project will update data gathered in a similar study performed in 1999. A concurrent and complementary study will be performed by the Pima Association of Governments and the results shared by the two agencies. On January 11, 2008, MAG issued a Request for Proposals to conduct the study. In response, two proposals were received. A multi-agency review team met on March 11, 2008, and recommended to MAG the selection of Alliance Transportation Group to conduct the survey. In addition, the team recommended that if negotiations with Alliance are not successful, that MAG pursue negotiations with its second choice, Wilbur Smith Associates.

5C. Project Changes: Amendments, and Administrative Modifications to the FY 2008-2012 MAG Transportation Improvement Program

The Management Committee, by consent, recommended approval of amendments and administrative modifications to the FY 2008-2012 Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2007 Update, as shown in the attached table. The FY 2008-2012 MAG Transportation Improvement Program (TIP) was approved by Regional Council on July 25, 2007. Since that time, there have been requests from member agencies to modify projects in the programs. The proposed amendments and administrative modifications to the FY 2008-2012 TIP are listed in Table A. The amendments include adding

the noise reduction study at ADOT, repackaging of two City of Tempe projects into one, and adding six Transportation Enhancement Projects that were approved by the ADOT Board in November 2007. An administrative modification does not require a conformity determination. The Transportation Review Committee recommended approval of these project changes.

5D. ADOT Red Letter Process

In June 1996, the MAG Regional Council approved the ADOT Red Letter process, which requires MAG member agencies to notify ADOT of potential development activities in freeway alignments. Development activities include actions on plans, zoning and permits. ADOT has forwarded a list of notifications from July 1, 2007, to December 31, 2007. Upon request any of the notices can be removed from the consent agenda and returned for action at a future meeting. ADOT received 548 Red Letter notifications in the period from July 1, 2007 to December 31, 2007. Of the 548 notices received, 130 had an impact to the State Highway System. This item was on the agenda for information and discussion.

5E. ADOT Requested Change to Statewide Transportation Acceleration Needs (STAN) Projects

The Management Committee, by consent, recommended approval of the ADOT request to decrease the funding by \$1.0 million for the I-10: Sarival to Verrado Way project and increase the funding by \$500,000 each for the L303: Bell Road crossing and for the L303: Cactus and Waddell Road crossing projects. ADOT has requested that a small change in the funding from the Statewide Transportation Acceleration Needs (STAN) account that was approved by MAG in December 2006 be modified slightly to decrease the funding by \$1.0 million for the I-10: Sarival to Verrado Way project and increase the funding by \$500,000 each for the L303: Bell Road Crossing and for the L303: Cactus and Waddell Road Crossing projects. This has determined that the \$1.0 million is not required to complete the I-10 project and the additional funding is needed for the L303 projects. There is no fiscal impact on the MAG Freeway Program. The Transportation Review Committee recommended approval of the project change.

5F. MAG Commuter Rail Strategic Plan

The Management Committee, by consent, recommended acceptance of the Commuter Rail Strategic Plan as the guiding implementation framework for commuter rail, and for MAG to proceed with the first four implementation steps identified on page nine of the Executive Summary: 1) Ongoing Coordination; 2) Union Pacific Passenger Rail Coordination; 3) Burlington Northern Santa Fe Railway Coordination; and 4) Regional Transit Planning. Since February 2007, MAG has been working on a Commuter Rail Strategic Plan, which will establish a framework for implementing commuter rail service in Maricopa County and northern Pinal County. The MAG consultant provided project briefings to the Management Committee, Transportation Policy Committee, and Regional Council in November and December 2007. On March 27, 2008, the Transportation Review Committee recommended to accept the Commuter Rail Strategic Plan, and for MAG to proceed with the first four implementation steps identified on page nine of the Executive Summary: 1) Ongoing Coordination; 2) Union Pacific Passenger Rail Coordination; 3) Burlington Northern Santa Fe Railway Coordination; and 4) Regional Transit Planning.

5G. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2008-2012 MAG Transportation Improvement Program. The proposed amendment includes the addition of six Valley Metro Transportation Enhancement funded projects in fiscal years 2008, 2009, and 2010, and a new Arizona Department of Transportation (ADOT) Noise Reduction Study project in FY 2008. In addition, an administrative modification is required for the repackaging of City of Tempe pedestrian and bicycle facility projects on College Avenue, and to increase funding for two ADOT projects. The amendment includes projects that may be categorized as exempt and minor project revisions that do not require a conformity determination. Comments on the conformity assessment were requested by April 18, 2008. This item was on the agenda for consultation.

5H. Discussion and Update on the Draft FY 2009 MAG Unified Planning Work Program and Annual Budget

Each year staff develops the MAG Unified Planning Work Program and Annual Budget. The Work Program is reviewed in April by the federal agencies and approved by the Regional Council in May. The proposed budget information is being presented incrementally in parallel with the development of the budget information. This presentation and review of the FY 2009 MAG Unified Planning Work Program and Annual Budget represent the budget document development to-date. The Management Committee reviewed the development of the Work Program and Annual Budget at its meetings on January 9, February 13 and March 14, 2008. Due to current economic conditions, MAG is proposing no increase in estimated dues and assessments. The individual member dues and assessments may change due to population allocation, but the overall dues and assessments total of \$606,550 remains the same amount as FY 2008. Each year new projects are proposed for inclusion in the MAG planning efforts. These new project proposals come from the various MAG technical committees, policy committees and other discussions with members and stakeholders regarding joint efforts within the region. These projects are subject to review and input by the committees as they go through the budget process. The proposed new projects for FY 2009 were presented at the February 13, 2008 Management Committee meeting, the February 27, 2008 Regional Council meeting, and the March 17, 2008 Regional Council Executive Committee meeting. The new project requests have been revised and an updated FY 2009 "MAG Programs in Brief" with the revised new project requests was included in the packet. Since the new projects for FY 2009 were presented in March, there have been two changes to the project list. An Air Quality Associate for \$80,000 has been deleted and a transportation project entitled, "MAG Travel Demand Modeling - Pinal County Review," has been added for \$80,000. The MAG Travel Demand model extends far into Pinal County and the travel demand in Maricopa County also reflects the population and economic activity in Pinal County. As input, the model uses socioeconomic projections and the road network in Pinal County. Using the planning resources and data that have been collected by CAAG, CAAG will provide the review and changes necessary to accurately portray the projections and transportation network in Pinal County. The FY 2009 budgeted expenses for MAG show an overall decrease of about two percent from last year. This decrease is, in part, due to a decrease in the budgeted amounts for overhead and a 50 percent reduction in proposed capital expenditures. The reason for the large capital decrease is that a majority of MAG's

capital equipment inventory is computer hardware which is on a replacement cycle of approximately every three years. MAG staff has an annual performance evaluation in June and based on performance, salary increases that average up to five percent may be considered. There are no new staff positions being requested for FY 2009 and FTE at MAG remains at 75.25. This item was on the agenda for information.

5I. Revision to the Social Services Block Grant Allocation Recommendations

The Management Committee, by consent, recommended approval that the revised Social Services Block Grant allocation recommendations for FY 2008-2009 to be forwarded to the Arizona Department of Economic Security. On February 27, 2008, the MAG Regional Council approved the allocation recommendations for the locally planned Social Services Block Grant dollars be forwarded to the Arizona Department of Economic Security (DES). On March 13, 2008, the MAG Human Services Technical Committee recommended approval of moving \$55,693 from the pregnant/parenting youth category to the basic needs category in the same target group. This revision will allow the agency that receives the funding, the City of Phoenix, to better utilize these funds while continuing to offer services to pregnant teens through other programs. The program that has historically received these funds has been eliminated. This revision will leave \$38,283 in the pregnant/parenting youth category for use by other agencies. The MAG Human Services Technical Committee recommended approval of the revision.

8. Draft MAG 208 Small Plant Review and Approval for the Proposed Preserve at Goldfield Ranch Water Reclamation Facility

This agenda item was taken out of order.

Vice Chair McClendon stated that there would be a staff report, five minute presentations by the applicant, the Fort McDowell Yavapai Nation, and the Salt River Pima-Maricopa Indian Community, followed by public comment and committee questions and answers.

Julie Hoffman, MAG staff, stated that the Maricopa Association of Governments serves as the designated Regional Water Quality Management Planning Agency for the Maricopa County area. In this capacity, MAG developed the 208 Water Quality Management Plan in accordance with section 208 of the Clean Water Act. The 208 Plan includes the point source element that describes the desired wastewater treatment configuration in the Maricopa County area. The purpose of the 208 Plan is to plan for the wastewater treatment needs of the region over a 20-year period. Ms. Hoffman noted that the MAG Water Quality Advisory Committee uses the 208 Plan and the Small Plant Review and Approval process to evaluate small wastewater treatment plants. Ms. Hoffman stated that before the Committee today was the Draft Small Plant Review and Approval for the proposed Preserve at Goldfield Ranch Water Reclamation Facility.

Ms. Hoffman stated that Maricopa County has requested that MAG review the proposed facility at Goldfield Ranch through the Small Plant Review and Approval process of the MAG 208 Plan. She stated that the proposed facility would have an ultimate capacity of 400,000 gallons per day and reclaimed water would be disposed of through reuse and recharge. Ms. Hoffman noted that the Fort McDowell Yavapai Nation and Salt River Pima-Maricopa Indian Community are within three miles of the project and both have expressed concern about the Draft Small Plant Review

and Approval for the proposed facility. Ms. Hoffman advised that on October 22, 2007, the MAG Water Quality Advisory Committee tabled the Draft Small Plant Review and Approval for 60 days to allow the applicant to work cooperatively with the Fort McDowell Yavapai Nation to address the concerns raised by the Nation in its October 2, 2007 letter and to also work cooperatively with the Salt River Pima-Maricopa Indian Community. Ms. Hoffman stated that the Committee also requested additional detail on the Preserve at Goldfield Ranch Water Reclamation Facility. On December 21, 2007, the Committee continued the Draft Small Plant Review and Approval for 90 days with a goal of encouraging the parties to begin their first meeting within 30 days. At the March 20, 2008 MAG Water Quality Advisory Committee meeting, presentations were given by the Preserve at Goldfield Ranch, the Fort McDowell Yavapai Nation, and the Salt River Pima-Maricopa Indian Community. The Indian Communities indicated at this meeting the issues were still not resolved and citizens also expressed concern at this meeting. Following approximately two and one-half hours of presentations and discussion, the Committee recommended approval of the Draft Small Plant Review and Approval for the proposed facility.

Wendy Riddell, Berry and Damore, representing the Preserve at Goldfield Ranch, displayed a map of the property area. She stated that the Goldfield Preserve is within a 5,000 acre area in unincorporated Maricopa County. Ms. Riddell stated that it is a true county island, with no opportunity to annex in to a city or town. She stated that they have to grow the infrastructure organically out of the ground. Ms. Riddell stated that there is no other existing facility that can service this site, which is one of the criteria MAG uses in reviewing applications. She noted there are significant geographic impediments and sensitive areas. Ms. Riddell stated that developing this facility demonstrates they are taking as many properties off septic service as possible, which is environmentally responsible.

Ms. Riddell stated that the Goldfield Preserve endeavored to take the most responsible approach possible. When her client purchased the property in 2005, there was a development master plan which contemplated 2,032 dwelling units, 90 acres for commercial development, 190 acres for a golf course, a 2,127 acre feet per year water budget, and a huge traffic impact. Ms. Riddell stated that they amended the development master plan and reduced the density in half, eliminated the commercial development and golf course, and reduced the water budget and traffic impact. She noted that Maricopa County approved the development master plan. Ms. Riddell stated that they respected the fact that the tribal communities were their neighbors and the first stakeholder they met with was the Fort McDowell Yavapai Nation. She noted that there have been extensive dialogue and meetings, and three public meetings of the MAG Water Quality Advisory Committee before a recommendation for approval was made. Ms. Riddell stated that during that process they amended their 208 application in response to comments by Fort McDowell.

Ms. Riddell stated that the key concern has been water quality. She said that Goldfield Preserve is reusing to the maximum extent feasible and then recharging. Ms. Riddell noted that effluent will be treated to A+ standards. She stated that they will be using and incorporating the best available demonstrated control technology. Ms. Riddell stated that MAG is one process and more processes are yet to come through the Aquifer Protection Permit at the Arizona Department of Environmental Quality (ADEQ) and the Underground Storage Facility Permit at the Arizona Department of Water Resources (ADWR). Ms. Riddell stated that they have the review and

comment of any municipality or tribal community within the three-mile area, do not impact the operation or financial structure of existing or proposed wastewater treatment plants, are consistent with state and county regulations, consistent with the 208 Plan, and have the sponsorship of Maricopa County. Vice Chair McClendon thanked Ms. Riddell for her presentation.

Phil Dorchester offered Fort McDowell's concerns with the Preserve at Goldfield Ranch project. He stated that the MAG 208 Water Quality Management Plan and Small Plant Review process requires considering the comments of the nearby Municipal Planning Areas within three miles of the proposed development, which includes Fort McDowell. Mr. Dorchester stated that Fort McDowell is not opposed to growth and has benefitted from development, but surrounding communities could be threatened without assurances that there will be proper infrastructure. He asked who will be called on to resolve issues if the plan lacks foresight and turns out to be inadequate? Mr. Dorchester stated that Fort McDowell and the surrounding communities oppose the application in its present form. He stated that there is not enough information to conclude that the Preserve will avoid becoming a burden on its neighbors due to lack of planning.

Mr. Dorchester stated that the Fort McDowell Yavapai Nation, the Salt River Pima-Maricopa Indian Community, and others have raised significant concerns during the evaluation process, including how the applicant plans to address wastewater management and treatment, sludge management, recharge, and financial matters. He added that these concerns are within the purview of MAG. Mr. Dorchester reviewed the list of questions provided to the applicant. He said that what is missing is a commitment to a specific treatment plant that will allow surrounding communities to determine the impacts of the treatment process. He said that the applicant has not yet determined the type of plant needed. Mr. Dorchester commented that without specifics, this plant could generate obnoxious smells. He added that they need to know the specifics of the treatment plant before approval in order to evaluate the impacts.

Mr. Dorchester stated that another item missing is a plan for sludge processing—how and where undigested sludge will be handled. He said that what is stated is only that the developer understands that due to potential odor generation, site space constraints, and population sensitivities, they will not dewater on site. However, transporting thousands of gallons of biosolids per day off site is unrealistic. Mr. Dorchester stated that due to no explanation regarding the facility to treat the sludge, they can only assume the applicant may be forced to dewater on site and the construction and operations and maintenance cost would be changed. Mr. Dorchester stated that there may not be enough room for needed expansion. He mentioned a scientifically valid study. He stated that it appears that a single injection well and one backup well will not be adequate for the size of the proposed development. Mr. Dorchester stated that there are injection wells in the Valley, but in the East Valley, feasibility is a big concern. He noted that biological plugging, carcinogens and mounding have been problems. Mr. Dorchester asked where will the effluent go without these studies? He commented that this treatment alternative will not work.

Mr. Dorchester stated that without knowing the financial structure or treatment plant design, or whether the hydrology will safeguard the water supply, it is virtually impossible to know the true range of construction cost. Mr. Dorchester stated that having adequate planning in place is a MAG issue, not an ADEQ, ADWR, or state issue. He said that MAG cannot fulfill its duty to



evaluate this application without that information. Mr. Dorchester stated that the developer says they will take care of the issues down the road and deal with them when the time comes, however, these are MAG issues. Mr. Dorchester stated that inadequate financing will cause financial implications for all MAG members.

Mr. Dorchester stated that Fort McDowell is opposed to the application and said that their concerns are: (1) Demonstrate the sustainability and feasibility of the project; (2) Demonstrate that the Preserve will not diminish the water quality of the existing aquifer and Verde River; (3) Determine the anticipated extent of wastewater recharge; (4) Answer the questions of wastewater management, including, but not limited to, the siting of the sewage treatment facility, process, feasibility of recharge site, and sludge management; (5) Determine if the wastewater treatment facility will include an effluent management plan within the local area; (6) Establish that the development has the financial assurances required by Maricopa County Environmental Services for the first phase of development. Vice Chair McClendon thanked Mr. Dorchester for his presentation.

President Diane Enos, Salt River Pima-Maricopa Indian Community, stated that her Community was not included in the initial phase of the developer's application process. She stated that her Community appreciates the opportunity to understand and participate in the MAG 208 process. President Enos stated that the area of development includes a delicate ecosystem, unlike other areas where applications have been approved. The Salt and Verde Rivers flow through the Community and they are concerned about the water quality impacts and water supply. President Enos stated that the Desert Nesting Bald Eagle was recently placed again on the Endangered Species List. She expressed concern that wastewater treatment contamination could have a detrimental effect on the fish fed on by the eagle and also on the water used for human consumption. President Enos stated that these are both cultural and spiritual concerns.

President Enos stated that the Community's concerns were included in the material provided. She said that the Community does not have enough data from the developer to substantiate the extent and integrity of the confining clay layer. President Enos stated that the cross-section provided by the developer shows eight wells, with five wells penetrating the clay layer. She stated that this does not provide the adequate data to verify the extent of the clay layer that may impact the Verde River. President Enos stated that this information is critical; without evidence of a clay layer confining the aquifer, water quality and quantity are at risk. She noted that this includes the Verde River and Fountain Hills Sub-basin. President Enos stated that there are three wells on the Goldfield property, but they used logs from wells off their property to develop their cross-section. She noted that the letter from Salt River Project included in the material provided identifies these same concerns.

President Enos stated the Salt River Pima-Maricopa Indian Community is concerned with the unproven track record and uncertain future of the company chosen to manage the facility. She stated it is not a perpetual corporation and is due to dissolve on December 31, 2010; its home and business address is in Williams, Arizona; and it does not provide these services to any other community in the metro Phoenix area.

President Enos stated there is no backup plan for disaster or emergency, nor the cost of an emergency backup plan. She mentioned that recent concern with local municipal reaction to

drinking water contamination is a serious issue that must be addressed. President Enos stated that the application cannot be compared with previous MAG approvals, because the development area has a delicate ecosystem. President Enos referred to the list included in the material she provided. She noted that the location and sponsorship by a major city and the future decommissioning are among the major differences between other 208 applications and the Goldfield application. President Enos expressed that Salt River Pima-Maricopa Indian Community opposes approval of this 208 application, and urged that the Management Committee deny its approval. Vice Chair McClendon thanked President Enos for her presentation.

Vice Chair McClendon noted that statements of support had been submitted by nine individuals: Bill Greenslade, Don Kile, Meredith Madsen, Toni Bonar, Kevin Kammerzell, Sheila Logan, Asha D'Souza, Lee Storey, and Garry Hays. The individuals agreed to enter their statements of support on the record rather than providing individual public comment.

Vice Chair McClendon stated that two cards had been submitted in opposition. He provided five minutes to Randy Haines, a resident of Goldfield Ranch. Mr. Haines stated that before a sewage treatment plan can be approved through the MAG process, an analysis of whether nearby areas can lend themselves to being included in the service area needs to be done. He stated that this analysis has not been done. Mr. Haines stated that no analysis has been done of nearby large undeveloped parcels, some of which have development plans that would require sewer systems, not septic systems. He noted these parcels on a map of the area, which include 80 acres owned by Grayhawk Development (up to two homes per acre), 600 acres owned by Fort McDowell Yavapai Nation in fee (which could be sold to a developer in the future), and part of the Preserve development south of the Beeline Highway. Mr. Haines noted that these are not included in the sewage treatment plant. He stated that 13 years ago, Maricopa County determined that it was feasible for the land on the south side of Beeline Highway be included in a sewer system with a plant located in the Preserve one-half mile from the proposed facility, to handle 1.2 million gallons of sewage. Mr. Haines stated that an analysis would show that the plant would need to more than double to handle the development that could occur in those large parcels in the next 20 years. Mr. Haines stated that the MAG 208 Water Quality Management Plan requires this analysis to prevent an uncontrolled proliferation of small plants. He stated that a plant has to be designed to be capable of enlargement to serve the needs of the region for the next 20 years, but there has been no analysis. Mr. Haines stated that the application does not address the future needs of the large parcels, nor the commercial development. He stated that Ms. Riddell misspoke when she said the amendment eliminated 18 acres of commercial on the south side of the Beeline Highway—it preserved it. Mr. Haines stated that the developer did not provide an analysis for future expansion. The site sits on a peninsula surrounded by dropoffs and washes and is not large enough for expansion nor to accommodate the doubled capacity. Mr. Haines stated that the analysis needs to be done before approval can be given. Vice Chair McClendon thanked Mr. Haines for his presentation.

Vice Chair McClendon recognized public comment from Kathleen Haines, who stated that the community of Goldfield Ranch does not want a facility that cannot be expanded or whose future needs are unanalyzed. She stated that the residents of Goldfield Ranch would love to have a sufficient facility. Ms. Haines stated that every developer wants to build a facility for its needs only; profits must be maximized. She stated that this is reason why there is a county plan that

requires an analysis of future needs and regional impacts. Ms. Haines stated that MAG's purpose is regional planning, not just to determine if a plant is OK for this particular development, but also for future needs. She stated that the proposed facility's capacity may be sufficient to serve the Preserve and a few other parcels, but no others. Ms. Haines stated there is no land available for safety measures or future needs. She commented that the MAG 208 process aims to prevent the uncontrolled proliferation of small plants that could cause problems. The Goldfield plan with insufficient capacity and no enlargement possible is not in conformance with the MAG Plan. Ms. Haines noted that adopting this plant could necessitate three plants total within three miles. She stated that this facility cannot be approved without conforming to MAG's criteria. Ms. Haines requested that the Management Committee not support the proliferation of small plants in undeveloped desert communities. Vice Chair McClendon thanked Ms. Haines for her comments.

Vice Chair McClendon asked Ms. Hoffman if the criteria shown in the presentation were the criteria the MAG Water Quality Advisory Committee used in evaluating the application. Ms. Hoffman replied that the Committee uses the MAG 208 Plan and Small Plant Review and Approval process to evaluate small wastewater treatment plants. She noted that the criteria for small plants from the MAG 208 Plan were included in the material provided in the agenda packet. Vice Chair McClendon asked if the recommendation before the Management Committee came from the Water Quality Advisory Committee. Ms. Hoffman replied that was correct.

Kenny Harris explained the reasons Maricopa County supports the application. He stated that the MAG 208 process is a planning process, it is not a detailed design process. Mr. Harris noted that the Water Quality Advisory Committee evaluated this application over many days and hours in making its decision to recommend approval. He commented that it is incumbent upon the owner to get design approval.

Mr. Brady stated that communities usually work out their issues on these applications. He asked the vote on this item by the Water Quality Advisory Committee. Ms. Hoffman replied that the vote was nine yes and seven no. Mr. Brady expressed concern that it did not seem there is a consensus of support for the application. He indicated that he was impressed with the developer's attempts to reduce density and make a more manageable development. Mr. Brady commented that it did not appear there was an issue whether the area would be developed or not. He expressed concern over the issue of sustainability and who will oversee the small plant. Mr. Brady commented that the communities will be there for a long time. He commented that sometimes the responsibilities for HOAs and pools not being maintained fall to the municipalities after developers leave. Mr. Brady asked if there were any small plants not sponsored by municipalities that have been successful. Ms. Hoffman replied that the Goldfield Preserve will be overseen by the County Improvement District. She noted the County sponsored a small plant for a school in Tonopah a few years ago, and added that the facility is owned and operated by the school. Mr. Brady expressed concern for the statement that information would be provided later in the permitting process. He stated there are elements of concern to the City of Mesa, who looks to the Verde River flows. Mr. Brady commented that it is important to recognize the concerns of the Native American communities. He said if anyone should understand the environment, they should, and he would defer to them. Mr. Brady stated that he could support that more time be given to finding agreement.

Dr. Isom said he had done his due diligence and met with the tribe and Ellman representatives. After this, he narrowed down the issue to water quality. Dr. Isom stated that he understood that in the technical review process, MAG historically has relied on the state permitting process to determine the technical soundness of an application, especially in regard to effluent. He stated that if MAG takes a not-in-my-backyard approach, MAG would be moved to look at four important parameters regarding effluent, and not say ADEQ will handle this down the line. Dr. Isom listed the parameters and state requirements: (1) What is the goal for total suspended solids? 30 milligrams per liter. (2) What is the goal for biochemical oxygen demand? 30 milligrams per liter. (3) How much nitrogen will remain in the effluent? They only grade treatment for nitrogen at A+. (4) What is the target removal efficiency for phosphorus content? The state has no requirement. Dr. Isom stated that the state standards are not enough for these parameters. He pointed out Chino Valley where 3,500 homes were impacted, or Bullhead City, where more than 4,000 homes were impacted and 11 small plants were taken offline and the flows now go to one super plant. Dr. Isom stated that he would not want a plant in his backyard that met just state standards.

Dr. Isom stated that the tribe was reasonable to ask what kind of water would be put back into the ground. He said that he spoke with Mr. Kile who was forthcoming about their plan for treating effluent to a suspended solid level of 10 milligrams on a 30-day average, a biochemical oxygen demand level of 10 milligrams on a 30-day average, a nitrate treatment at five milligrams, and a target phosphorous content of one milligram and removal efficiency of 85 percent. Dr. Isom stated that the technology is there and added that Mr. Ellman said they will use it. He stated that the City of El Mirage has a plant and they treat to those levels. Dr. Isom asked if the applicant would state for the record their intent to treat to those levels. Ms. Riddell referred to a slide in her presentation and stated that they commit that it is their plan to treat to the levels that Dr. Isom laid out. Dr. Isom stated that he thought it was extremely important MAG recognize the applicant's willingness by noting in the motion their commitment to treat at these levels.

Dr. Isom stated that it was a close vote at the Water Quality Advisory Committee. He noted that the El Mirage representative voted no, but through due diligence, they are open. Dr. Isom expressed his hope that the levels as he stated would provide assurance that the proposed plant will exceed the state's requirements for the treatment of effluent, and that the developer and tribes will choose to work through the issues. Dr. Isom suggested that perhaps MAG could develop a position paper to send to ADEQ to adjust the state standards, because technology has advanced.

Mr. Manuel stated that questions have been asked and not been answered. If there is an opportunity to have time to work out the issues, it would be in the best interest of all. Mr. Manuel commented that sometimes acting in haste results in future lawsuits due to damages. He stated that being reasonable is best; move forward and have the parties meet and reach a decision that will be in the best interest of their communities.

Vice Chair McClendon stated that typically, these issues are worked out. He asked if there was any value to continuing this item for 30 days. Ms. Riddell replied that they have been in a very long dialogue with both Indian Communities. She said she was confident these issues could not

be resolved at this level or today, and did not believe that delay was warranted or would be productive.

With no further discussion, Mr. Harris moved to recommend approval of the proposed Preserve at Goldfield Ranch Water Reclamation Facility as part of the MAG 208 Water Quality Management Plan. Mr. Abujbarah seconded.

Dr. Isom requested that the Committee consider recognizing the commitment volunteered by the developer to treat the effluent at a level higher than required by the state: 10 milligrams per liter (mg/l) for total suspended solids, 10 mg/l for biochemical oxygen demand, 5 mg/l for total nitrogen, and 1 mg/l (85 percent efficiency) for total phosphorus, by adding this as part of the motion. Mr. Harris, as maker of the motion, agreed. Mr. Abujbarah, as second, agreed.

Mr. Smith noted that RPTA and ADOT do not vote on issues other than transportation.

A roll call vote on the motion passed by a vote of 15 to 13, with Mr. McClendon, Mr. Pearson, Mr. Abujbarah, Mr. Pentz, Dr. Isom, Ms. Zanon, Mr. Farmer, Mr. Beasley, Mr. Brown, Mr. Crossman, Mr. Bacon, Ms. Ferreira, Ms. Hagen, Mr. Edwards, and Mr. Harris voting yes; Mr. Hoffman, Ms. Guy, Mr. Dorchester, Mr. Manuel, Mr. Pettit, Mr. Johnson, Mr. Brady, Mr. Swenson, Ms. Peters, Mr. Kross, Mr. Meyers, Mr. Lundahl, and Ms. Wakeman voting no, and Mr. Boggs abstaining.

#### 6. Transportation Planning Update

Eric Anderson, MAG Transportation Director, provided an update on recent transportation planning activities, which includes the Statewide Intrastate Mobility Reconnaissance Study, the overall approach for a statewide transportation plan, and the ballot initiative proposed for fall 2008.

Mr. Anderson stated that a *Business Journal* survey of business leaders showed that they indicated the most significant event of the past 25 years was the completion of the freeway system. He noted that Arizona is a high-growth state. This potential growth in population will place great demands, not only on the transportation system, but also on water, wastewater, schools and health care. Mr. Anderson displayed a chart of states that border Arizona. It showed the American Southwest may be home to 80 million people by 2030. Mr. Anderson noted that California's economy is ranked fifth or sixth in the world economy.

Mr. Anderson stated that the state's Councils of Governments and Metropolitan Planning Organizations have been working cooperatively with the Arizona Department of Transportation (ADOT) on the Statewide Intrastate Mobility Reconnaissance Study. One of the tools developed out of the study was the statewide sketch planning transportation tool, which provides a glimpse of the potential impacts of growth on the state's systems.

Mr. Anderson displayed a map of the traffic counts in Arizona in 2005. The second map he displayed showed the demand estimates using the sketch planning tool. As an example of the traffic increase, he noted the 2005 traffic count on the segment on I-10 west of SR-51 and Loop 202 was 303,000 vehicles per day; in the 2050 estimate, the same segment is projected at

750,000 vehicles per day. He noted that this segment cannot handle that volume, but shows the unconstrained need.

Mr. Anderson displayed two maps that showed the volume and the capacity side by side. He pointed out that the area of major congestion in Central Arizona from Yavapai County to Tucson is one of the ten megapolitan areas in the United States. Mr. Anderson then displayed data of statewide travel trends. The chart showed the number of trips from Phoenix to Flagstaff, Flagstaff to central Yavapai County, Phoenix to central Yavapai County, Yuma to Phoenix, and Phoenix to Tucson for the years 2005 and 2050. He stated that in 2005, daily trips between Phoenix and Tucson were approximately 11,000 and this number is projected to grow to 37,000 in 2050. Mr. Anderson noted that the traffic volume of Phoenix and Tucson is expected to be similar to the traffic volumes of Phoenix to Flagstaff and Phoenix to Central Yavapai.

Mr. Anderson stated ADOT has assumed the task of developing the statewide plan. He said that the Statewide Intrastrate Mobility Reconnaissance Study set the stage for the individual framework studies currently underway. He noted that the framework studies will be wrapped up into the statewide plan and the update of the MoveAZ transportation plan.

Mr. Anderson reviewed major MAG work activities and how MAG fits into the statewide activities. The Hassayampa Valley Roadway Framework Study was just accepted by the Regional Council and the I-8 and I-10 Hidden Valley Roadway Framework Study is underway. Mr. Anderson stated that the consultant and project team are in place on the Transit Framework Study. It is anticipated that a draft recommendation will be forthcoming at the end of 2008, with a final report in early 2009. Mr. Anderson stated that MAG has been working with ADOT since October 2007 on an update of costs of the freeway component of Proposition 400. He advised that there are major cost issues due to the rapid increase in construction and right-of-way costs.

Mr. Anderson spoke about the needs assessment for the existing freeway system. He said that there are two projects in Proposition 400 that they feel were not funded at the level necessary. The first is to add capacity to the lower half of I-17, funded at \$1 billion. Mr. Anderson noted that this was one of the first interstate segments built in the 1950s, and it needs improvement, along with the section of I-17 at the Durango Curve. Mr. Anderson stated that the second project is the I-10 Collector/Distributor System (Broadway Curve), funded at \$550 million. He noted that costs to build improvements to the ultimate configuration are close to \$1.5 billion. Mr. Anderson also noted that keeping I-10 moving is an important objective because it is a freight corridor.

Mr. Anderson stated that information provided by member agencies, along with the loss of HURF purchasing power, have resulted in determining there is approximately a deficit of \$9 billion for local streets in this region.

Mr. Anderson spoke about the critical needs package developed by the state. He said that staff has seen the package, but hard copies are not available because the document is being held under executive privilege. Mr. Anderson stated that MAG has compiled some information from various sources, and advised that these numbers could change: Highway, 64.4 percent; Transit, 20.6 percent; Streets, 10 percent, and Enhancements, five percent. Mr. Anderson noted that it

is difficult to estimate what the MAG region will receive, and from the list he saw it looked like the \$4 billion to \$5 billion range.

Mr. Anderson stated that the four dimensions of equity could be useful in evaluating a plan. He noted that the first meetings of the TPC were dedicated to discussion of policy issues, such as, would the tax be one-half cent or one cent; would it be a permanent tax or 20-year tax, or in which modes would there be investment? Mr. Anderson stated that the first dimension of equity is funding: What is the funding source and who pays? The second dimension of equity is participation: Is there broad ownership of the plan? Mr. Anderson stated that the third dimension of equity is long-term impacts: What problems are being addressed—congestion, mobility options, connectivity? The fourth dimension of equity is access: What is the return on investment (donor/donee)? Mr. Anderson noted that it is expected that Maricopa County realizes it would be a donor because its citizens use and enjoy the statewide system. In addition, the economic viability of Maricopa County depends on getting freight in and out. The question is how much should the residents of Maricopa County be donors? Mr. Smith commented that no one is saying that Maricopa County will require a return of one for one, but it needs to measure up to what its residents are providing, since the most significant source of revenue will be taken off the table for 30 years.

Mr. Pentz asked MAG's role in developing this plan. Mr. Smith replied that a statewide plan has been discussed twice at the Transportation Policy Committee and twice at Regional Council meetings. He noted that Section 176 of the Clean Air Act says MAG cannot approve any plan, program, or project that has not undergone a conformity analysis. Mr. Smith stated that because the member agencies could not be requested to approve new projects without that analysis, but wanted to cooperate with the Governor and ADOT, the Regional Council requested that staff share the Regional Transportation Plan and cost deficits with the ADOT consultant. Mr. Anderson stated that staff spent time with the ADOT consultant going over a number of issues. He said that the number one issue was to fill the cost gap in the current freeway program. The number two issue is to put more funding into I-10 and I-17. Issue number three is to accelerate freeway projects in Proposition 400. Mr. Anderson noted that on the transit side, the information collected last year as part of the Executive Order was used. He stated that it included significant increases in bus service and funding, increases for paratransit, additional miles of light rail in anticipation of increased demand after its opening, and funding to get commuter rail operational. Mr. Anderson stated that staff also conveyed to the consultant that the \$9 billion shortfall for local streets in this region was a reasonable amount.

#### 7. Maricopa County Clean Air Initiative

Holly Ward, on behalf of the Maricopa County Board of Supervisors, addressed the Committee on the County's new clean air campaign called Running Out of Air. Ms. Ward explained that the majority of what is causing the haze in the air is particulate matter. She noted the health issues associated with particulate matter, which triggers asthma. Ms. Ward stated that the Running Out of Air campaign includes television, radio, print ads, a website, and media and community outreach and partnerships. She noted that the concept for the television commercial was developed with the assistance of an ad agency. It shows a woman holding her breath as she leaves her house, rolling down her car window, and going to work.

Ms. Ward stated that during February to mid-March people were asked to make the commitment to clean up the air on the [www.runningoutofair.com](http://www.runningoutofair.com) website. She said that Toyota donated a vehicle that was given away as a prize. Ms. Ward noted that the Phoenix Suns were also partners in the campaign. She stated that presentations on the campaign have been given to city and town councils, business and community organizations, and employers. Ms. Ward noted that everyone pollutes and everyone can help out by taking steps to help clean up the air. She requested that members spread the message by adding a link to the runningoutofair.com website to their websites, including information in their newsletters, and being a Running Out of Air ambassador. Vice Chair McClendon thanked Ms. Ward for her presentation.

Mr. Kross stated that media, particularly the East Valley Tribune, has been critical of the clean air efforts. He asked what they were doing to change that. Ms. Ward stated that County staff has been reaching out to reporters. She said that she felt the challenge is getting people to care. Ms. Ward stated that they approach the newspapers to get media opportunities to better inform people, but it needs to become a public issue.

10. Possible Interim Appointment of the Chair and Vice Chair of the Management Committee to Fill the Unexpired Term (June 2008)

This agenda item was taken out of order.

Mr. Smith stated that the Chair and Vice Chair are elected for one year terms. Traditionally they serve for two one-year terms. Mr. Smith noted that on June 13, 2007, the Management Committee elected Jan Dolan, Scottsdale, as Chair, and Charlie McClendon, Avondale, as Vice Chair. With the departure of Ms. Dolan, the Chair position is vacant and needs to be filled. He said that if the Committee follows tradition to move up the Vice Chair to Chair, then the Vice Chair position would be open. Mr. Smith stated that the appointments made today would be to fill the unexpired term to June 2008, when the Management Committee would have a regular election.

Upon a motion by Mr. Crossman and a second by Mr. Swenson, Vice Chair McClendon was appointed Chair to serve the remainder of the term to June 30, 2008.

Upon a motion by Mr. Crossman and a second by Mr. Manuel, Mr. Pentz was appointed Vice Chair to serve the remainder of the term to June 30, 2008.

9. Legislative Update

Nathan Pryor provided an update will be provided on legislative issues of interest. He said that Senate Bill (SB) 1041, which allows hybrid vehicles to use HOV lanes, will be heard in the House Transportation Committee on April 10, 2008. Mr. Pryor noted that MAG opposes this bill.

Mr. Pryor stated that SB 1027 is a strike everything amendment that authorizes the establishment of a Public Highways Authority to construct, finance, operate, and maintain public highways and tollways. Mr. Pryor noted that MAG is monitoring this bill.



Mr. Pryor stated that House Bill 2381, which is the bill that increases the percentage paid out of the Emergency Telecommunications Services Fund for administrative costs from three percent to five percent, will be heard on April 10, 2008, by the Public Safety and Human Services Committee. Mr. Pryor also noted that good news had been received regarding funding for the region's Community Emergency Notification System. He reported that the Arizona Department of Administration has agreed to fund the system in the amount of \$651,000 for FY 2009. Vice Chair McClendon that this was an important development and very good news.

11. Comments from the Committee

An opportunity will be provided for Management Committee members to present a brief summary of current events. The Management Committee is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

No comments from the Committee were noted.

There being no further business, the meeting adjourned at 1:40 p.m.

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Secretary

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Chairman